

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

CHARLES MAY,

Plaintiff,

-v.-

Civil Action No.
9:06-cv-437 (GLS/RFT)

SUPERINTENDENT DONNELI;
DONALDSON, Grievance
Coordinator; DEP. STERN; IMAM
AHMED; OFFICER MATTHEW;
DEACON BASHAW; and JAMES
JONES, Administration Sergeant,

Defendants.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

CHARLES MAY
Plaintiff, *Pro Se*
05-A-3300
Adirondack Correctional Facility
Box 110
Ray Brook, New York 12977

FOR THE DEFENDANTS:

HON. ANDREW M. CUOMO
Attorney General of the
State of New York
The Capitol
Albany, New York 12224-0341

DAVID L. COCHRAN
Assistant Attorney General

GARY L. SHARPE,
U.S. DISTRICT JUDGE

ORDER

The above-captioned matter comes to this court following a Report-Recommendation by Magistrate Judge Randolph F. Treece, duly filed August 25, 2009. Following ten days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the Magistrate Judge's Report-Recommendation for clear error, it is hereby

ORDERED, that the Report-Recommendation of Magistrate Judge Randolph Treece filed August 25, 2009 is ACCEPTED in its entirety for the reasons state therein, and it is further

ORDERED, that the defendants' motion for partial summary judgment (Docket No. 57) is GRANTED in part and DENIED in part, and it is further

ORDERED, that the Clerk of the court serve a copy of this order upon the parties in accordance with this court's local rules.

IT IS SO ORDERED.

Dated: September 18, 2009
Albany, New York

Gary L. Sharpe
Gary L. Sharpe
U.S. District Judge